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Effective promotion of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

Note by the Secretary-General

The Secretary-General has the honour to transmit to the General Assembly the report of the Special Rapporteur on minority issues, Rita Izsák-Ndiaye, in accordance with Assembly resolution 70/166 and Human Rights Council resolution 34/6.

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Report of the Special Rapporteur on minority issues

Summary

The present report is the final report prepared by the current mandate holder, Rita Izsák-Ndiaye, to the General Assembly. She reflects on her six-year tenure as Special Rapporteur on minority issues, providing an overview of the main activities relating to her mandate, including a summary of thematic reports, communications, country visits, the Forum on Minority Issues and other relevant issues.

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I. Introduction

1. The present report is submitted to the General Assembly in accordance with Assembly resolution 70/166 and Human Rights Council resolution 34/6.

2. Section II of the report provides a brief overview of all the thematic reports submitted by the Special Rapporteur throughout her tenure. Section III focuses on follow-up to her country missions, in particular the implementation of the recommendations. Section IV provides an overview of communications sent. Section V covers the Forum on Minority Issues. Section VI presents the main findings of the analysis of the recommendations on minorities during the second cycle of the universal periodic review process. The final section contains overarching conclusions and recommendations.

II. Main concerns and recommendations from all thematic reports

A. Reports to the General Assembly

3. Since the establishment of the mandate, the mandate holders have submitted annual thematic reports to the Human Rights Council. Since 2012, pursuant to General Assembly resolution 66/166, the mandate holder has also submitted annual reports to the Assembly. The present section provides an overview of the content and recommendations of the reports of the outgoing Special Rapporteur.

1. 2012: Role and activities of national institutional mechanisms in promoting and protecting minority rights (A/67/293)

4. In her first report to the General Assembly, the Special Rapporteur emphasizes that ensuring the enjoyment of minority rights and equality in practice requires an understanding and appreciation of minority issues and problems facing minorities. Positive change in the situations of disadvantaged minorities can be provided by appropriate institutional attention to minority rights and a policy and programme framework within which to address minority issues. Legislative protection of minority rights in national law is an essential foundation. The logical next step, from legislation to concrete action for the protection and promotion of minority rights, is provided by institutional attention.

5. Dedicated institutional attention provides the necessary impetus for the proactive implementation of minority rights, including positive measures, consultative and participatory mechanisms and processes, and activities directed towards disadvantaged minorities, which are often lacking. In States in which minority populations are significant, where inter-community relations are complex, where long-term challenges persist or where ethnic or religious tensions or conflict exist or have previously occurred, institutional attention may be particularly appropriate.

6. In her report, the Special Rapporteur considers essential elements of institutional attention to minority issues and provides an overview of some practices adopted by States and the functions, roles and activities of institutions in respect of promoting and protecting the rights of minorities. A key recommendation is that States consider institutional attention to minority rights as an essential component of their human rights, equality and non-discrimination obligations and as a means of practically implementing the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.

2. 2013: Minority rights-based approaches to the protection and promotion of the rights of religious minorities (A/68/268)

7. The Special Rapporteur recognizes that religious minorities face discrimination, social exclusion, marginalization and, in many instances, harassment, persecution and violence. Her second report to the General Assembly is dedicated, therefore, to the rights of religious minorities. In the report, she stresses that their rights go beyond freedom of religion and belief and non-discrimination and voices concern that the wider collective rights of religious minorities are frequently neglected by Governments.

8. In all regions, persons belonging to religious minorities face daily human rights violations, ranging from violations of their individual rights and discrimination on the basis of their religious or belief identities to attacks on their community activities and violence against them, their places of worship or their homes. The violations lie at the intersection of a number of realities, including the State's religion or ideology relationship, the State's demographic makeup, the constitutional and legislative framework, the personal status laws, intercommunal relationships and the role of non-State actors — each of them and their combined effect have a profound impact on the human rights situation of religious minorities. Historical, geopolitical and inter-State factors may in some cases exacerbate the discrimination, exclusion and vulnerability experienced by religious minorities. National and international human rights responses to the challenges faced by religious minorities must seek to uphold their equal enjoyment of international human rights, including through the protection and promotion of minority rights.

9. The security situation of religious minorities in some States is cause for serious concern and requires the urgent attention of national Governments, regional intergovernmental human rights bodies and the United Nations. Acts of violence and widespread and systematic violations of human rights — sometimes by the State itself — threaten the very existence of religious minorities in some States or territories. States have the responsibility to protect human rights and security for all and to create conditions of peace and stability. They must act appropriately and rapidly to protect the rights and security of religious minorities under threat and prosecute anyone who commits, supports or incites violence against them.

10. The Special Rapporteur stresses that, in multi-faith societies, efforts to build a climate of trust, understanding, acceptance and interfaith cooperation and exchange benefit the whole of society and are essential elements of good governance and measures to prevent grievances, tensions and conflict. The active engagement and leadership of religious, community and political actors is essential to such efforts and should be encouraged and supported, including through the establishment of formal and informal mechanisms for dialogue, exchanges of views and consideration of interfaith and intercommunity initiatives.

3. 2014: Preventing and addressing violence and atrocities against minorities (A/69/266)

11. In the report, the Special Rapporteur observes that minorities are frequently the victims of violence and atrocities, which can take the form of attacks on individuals, their homes, shops or places of worship, or wider acts of aggression against communities with different national, ethnic or religious identities. In the worst cases, violence constitutes mass atrocities, crimes against humanity, war crimes, ethnic cleansing and even genocide. Although often perpetrated by State actors, sometimes violence is committed by non-State actors, including those belonging to the majority, or more powerful groups, extremist groups or even business actors.

12. Violence against minorities throughout the world demonstrates that action is required in all regions to protect minorities at risk. In many cases, violence is committed with impunity, which can fuel further violence. In her report, the Special Rapporteur seeks to identify some of the major causes of violence against minorities and to consider action that should be taken by States and other actors to prevent and appropriately address violence and to ensure that it does not persist or escalate. Such causes include exclusionary ideologies, deficits of democracy and rule of law, hate speech, past and unresolved grievances, a history of ethnic or religious tensions between groups without reconciliation, agitation of ethnic or religious components by political leaders and impunity when perpetrators act without consequences.

13. Predicting and preventing violence must not remain an academic exercise. Post-violence analysis has helped to develop indicators and improve the potential to raise the alarm and trigger early warning mechanisms; however, analysis conducted after violence has begun means that the action taken is often too little and too late. The lessons of past atrocities must be put into practice when the warning signs are clear and States must become more capable of responding to them.

14. The comprehensive implementation of minority rights, non-discrimination and equality standards constitutes an important foundation for the prevention of violence against minority communities and helps to establish the conditions for stability and harmonious relations among population groups. Mechanisms to ensure dialogue, consultation and participation, the fundamental principles of minority rights, should be established to assist States in understanding the situations of minorities, their issues and their concerns. Where violence has previously taken place, such mechanisms are of particular relevance, including in post-conflict and post-violence reconciliation and peacebuilding processes. Establishing institutions for the protection of minority rights and ensuring attention to minority rights within existing national and human rights institutions are essential violence prevention measures. Such institutional attention facilitates early warning and early response and the establishment of the appropriate policy frameworks and violence prevention strategies that are essential to the prevention of violence.

4. 2015: Minorities in the criminal justice system (A/70/212)

15. The Special Rapporteur is alarmed by the many allegations that she has received of human rights violations committed against minorities in the administration of criminal justice, owing to their minority status. This report addresses the rights of minorities in relation to all stages of the criminal justice process, beginning with policing practices before arrest, through to arrest, trial and sentencing.

16. The Special Rapporteur underscores the importance of strict non-discrimination at the policing stage, arguing that, should a disproportionate number of individuals from a minority group find themselves in contact with the police as a result of discrimination, then even if, formally, every other step of the process functions impartially, minorities will, similarly, be disproportionately represented throughout that process. In the report, she notes with concern the subjection of minorities to excessive use of force by the police, torture or other ill-treatment in policing. Given that racial profiling and excessive use of force against minorities in policing often stem from embedded discrimination, the Special Rapporteur recommends that States go beyond mere prohibitions and instead take proactive steps to prevent such conduct.

17. Even after formal arrest, minorities tend to be overrepresented in pretrial detention and face longer periods of such detention. At the stage of judicial procedures and hearings, minorities may also experience particular obstacles to

realizing their rights to equality before the law, non-discrimination and a fair trial. At the sentencing stage, minorities often face a greater likelihood of imprisonment, longer terms of imprisonment or a sentence of life imprisonment without possibility of parole, and a greater likelihood of imposition of the death penalty.

18. Globally, minorities face discrimination and a lack of representation within the administration of criminal justice. Measures to eliminate discrimination and ensure equality before the law are more likely to be effective if taken by adopting a minority rights-based approach, which includes ensuring the effective participation of minorities in all aspects of the criminal justice process and administration of justice. This includes the recruitment, retention and progression of minorities, including at the most senior levels, in all positions connected with the criminal justice system. Furthermore, minorities must be included in designing laws and policies and advising on procedures to further ensure that such instruments do not have a disproportionate impact on minorities.

5. 2016: Minorities in situations of humanitarian crises (A/71/254)

19. According to the Office for the Coordination of Humanitarian Affairs, the scale of global humanitarian needs is higher than ever. As at December 2015, there were an estimated 125 million people in need of humanitarian assistance worldwide. Although there are no exact data on how many minorities are affected by crises and where, during the course of her mandate the Special Rapporteur has observed that minorities can be disproportionately affected, whether directly or indirectly, owing to their minority status, during the crisis itself or in the aftermath when seeking protection.

20. Belonging to a minority group can be a direct factor leading to displacement in the context of conflict. Indeed, and regrettably, many contemporary conflicts are based on superiority ideologies in which targeting minorities is one of the key drivers of the conflict. Even outside fully fledged armed conflicts, discrimination against minority groups in societies may reach such levels that it results in hate-based crimes and leads to internal displacement. In the report, the Special Rapporteur looks at the specific challenges or discrimination that minorities may face during or after potential displacement or disruption owing to a humanitarian crisis or disaster, even when the trigger of that displacement or changed situation is not directly linked to their affiliation to that minority group. Analysing both natural and human-caused disasters, she indicates that minority communities may be more vulnerable to disasters, insofar as they may be both inadequately prepared for such emergencies and disproportionately affected by them.

21. Furthermore, minority communities are also less likely to be equal beneficiaries of adequate humanitarian aid and rehabilitation when or after disasters strike, a discrepancy that often then extends to the rehabilitation phase, thereby keeping minorities socially and economically behind in their longer-term recovery from such events.

22. The Special Rapporteur stresses, therefore, that the humanitarian system needs to make a concerted effort to ensure that the responses meet the needs of people who are hard to reach, including the specific needs of minority communities. Efforts need to take into account the vulnerability of minorities to displacement and multiple forms of discrimination during crises, as well as the specific challenges facing minorities affected by crises owing to their very situation as minorities. Overall, the Special Rapporteur notes that responsible emergency preparedness and response efforts that incorporate a minority rights approach, ensuring that minority voices can raise their concerns and opinions regarding relief and recovery efforts,

can be critical to preventing disasters from having a disproportionate impact on or further ravaging the lives of minority communities.

B. Reports to the Human Rights Council

1. 2012: Priorities for the work of the Independent Expert and the twentieth anniversary of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (A/HRC/19/56)

23. This first report submitted to the Human Rights Council outlines the then Independent Expert's reflections on how to fulfil the requirements of her mandate and promote the implementation of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. In this connection she identifies areas of focus, including the rights of linguistic minorities; the rights and security of religious minorities; recognition of minorities; cross-cutting issues, such as young people and women belonging to minorities; achieving the Millennium Development Goals for disadvantaged minorities; the role of minority rights protection in conflict prevention; the role of minorities in advocating their rights; and increased outreach and networking with minority groups.

24. As the year 2012 marked the twentieth anniversary of the adoption of the Declaration, the Independent Expert welcomed and encouraged activities in all regions to mark the anniversary and to raise awareness of the Declaration and the rights of minorities. She also noted the important role of specialized agencies and other organizations of the United Nations system regarding the promotion and protection of minority rights.

2. 2013: Rights of linguistic minorities (A/HRC/22/49)

25. Globally, many minority languages are under threat of significant decline or disappearance owing to such factors as the dominance of national and international languages, processes of assimilation and decline in minority-language users. In many cases, the disappearance of minority languages is a result of the failure to protect minority rights, including the lack of national legal protection for minority languages.

26. For minorities, language is a central element and an expression of their identity and of key importance in the preservation of group identity. In many cases, a strong community desire exists to maintain minority languages as a core and indispensable element of culture and identity. Even if this is sometimes viewed by Governments as divisive and counter to State ideologies and policies to promote national identity, national unity, integration and territorial integrity, States are obligated to respect, protect and fulfil the rights of linguistic minorities, and restrictions must be in the public interest and proportional to the aims sought.

27. Globally, grievances and tensions relating to language rights and the rights of linguistic minorities have emerged and have even led to conflict. Restrictions on the rights to use minority languages freely may be, or may be interpreted as, a threat to minority identity. It is important to acknowledge that issues relating to linguistic minorities and their rights may have implications for security and national stability. Protection of linguistic minority rights is a human rights obligation and an essential component of good governance, efforts to prevent tensions and conflict, and the construction of equal and politically and socially stable societies. To create unity in diversity requires dialogue with all stakeholders, including on how to accommodate appropriately the language needs and rights of all groups.

28. Following her thematic study on the rights of linguistic minorities, the Special Rapporteur produced a handbook, *Language Rights of Linguistic Minorities: A Practical Guide for Implementation*, which is available in the six official languages of the United Nations on the mandate holder's website. The handbook is intended to serve as a practical tool to assist policymakers and rights holders to develop a better understanding of linguistic rights and to highlight good practices that could be replicated in different contexts.

3. 2014: Ensuring the inclusion of minority issues in post-2015 development agendas (A/HRC/25/56)

29. Building on her predecessor's work and earlier report on this topic (A/HRC/4/9) and in the context of the then impending 2015 deadline for achieving the Millennium Development Goals and setting the stage for the post-2015 development agenda, the Special Rapporteur dedicated a thematic report to ensuring the inclusion of minority issues in post-2015 development agendas.

30. In her report, the Special Rapporteur notes with concern her predecessor's finding that lack of attention to the situations of minorities constitutes one of the most serious deficiencies of the Millennium Development Goal process and an important impediment to achieving certain Goals in some States. She emphasizes that minorities remain among the poorest and most socially and economically excluded and marginalized communities globally, and that tens of millions of persons belonging to minorities are trapped in a cycle of discrimination, exclusion, poverty and underdevelopment from which they cannot break free without targeted attention being given to their situations. Poverty within minority communities is both a cause and a manifestation of their diminished rights, opportunities and social advancement. The Special Rapporteur deeply regrets that despite the pledges for an inclusive 2030 Agenda for Sustainable Development, there is no explicit reference to minorities in the final document. She firmly believes that the successful implementation of the 2030 Agenda can be achieved only by taking into consideration the situation of minorities, and calls upon States to fulfil in practice the principle of leaving no one behind, in particular in relation to all minorities.

31. In her report, the Special Rapporteur emphasizes that, within the framework of a strong equality-focused goal or goals, it will be crucial to establish specific targets for States on the inclusion of minorities and specific indicators upon which to measure progress. The participation of minorities needs to be ensured and increased in all phases. Targeted affirmative action policies for addressing the economic and social exclusion of minorities, including specific social and economic development plans for marginalized groups and the regions in which they live, are required.

4. 2015: Thematic study on hate speech and incitement to hatred against minorities in the media (A/HRC/28/64)

32. The Special Rapporteur is alarmed by the high number of complaints reaching her about hateful messages and incitement to hatred that have fuelled tensions and often led to hate crimes. She believes that more should be done to monitor and react, in a timely manner, to hate speech and incitement to hatred and violence to prevent tensions and violence that damage the entire fabric, unity and stability of societies.

33. In her report, the Special Rapporteur notes that hatred is often constructed, fuelled, maintained and directed against individuals and communities who are different in ethnicity, language or religion from the dominant majority, often for political reasons or as a result of long-standing and entrenched discrimination. Hateful messages may fall on particularly fertile ground where there are wider

social, economic or political problems or divisions in society. Governments, civil society and the international community must be alert to the early warning signs of hatred and violence, such as an atmosphere of discomfort and animosity when minorities exercise their right to freely and openly practise their religion, use their language or assert their right to have a voice in political life and the decisions that affect them. If hate speech and hate incidents are not tackled swiftly and effectively, targeted groups may experience permanent damage to their self-esteem and sense of belonging within their societies, thereby increasing their marginalization. At the same time, majority communities may gradually become desensitized, to the point where they begin to accept the hostility towards and stigmatization of certain groups in their societies.

34. It is indicated in the report that a number of factors lead to hate speech and incitement to hatred in the media, including the absence of or unclear legislation on incitement to hatred, the limited access and representation of minorities in the media, the existence of structural societal inequalities, the changing media landscape and the emerging and more organized forms of extremist and populist movements. Positive initiatives implemented by a broad range of actors, including international organizations, States, civil society and individuals, to contest hate speech and incitement to hatred in the media, are also highlighted in the report.

5. 2015: Comprehensive study of the human rights situation of Roma worldwide, with a particular focus on the phenomenon of anti-Gypsyism (A/HRC/29/24)

35. In response to Human Rights Council resolution 26/4 on the protection of Roma, the Special Rapporteur prepared a comprehensive study of the human rights situation of Roma worldwide. She applies a minority rights-based approach to the protection and promotion of the rights of Roma, including the protection of their existence; the prevention of violence against Roma; the protection and promotion of Roma identity; the guarantee of the rights to non-discrimination and equality, including combating racism, anti-Gypsyism and structural discrimination; and the guarantee of the right of Roma to effective participation in public life, especially with regard to decisions affecting them. Drawing on the responses to her questionnaire, the Special Rapporteur provides an overview of trends in State practice, highlighting positive developments and challenges.

36. In her report, the Special Rapporteur notes that the largest and most visible Roma minority is European Roma, whose presence in Europe dates back to the fourteenth century. Today, there are some 11 million European Roma and the severe discrimination and marginalization that they continue to experience has been widely reported. Regrettably, however, little comprehensive research has been carried out on the situation of Roma outside Europe. The Special Rapporteur took the opportunity, therefore, to report on the severe socioeconomic marginalization that Roma experience worldwide, including in the Russian Federation, Latin and North America, Central Asia and the Middle East. According to the Special Rapporteur, Roma communities worldwide still face situations of extreme poverty and marginalization across a wide range of human rights indicators. Although the reasons for that marginalization are complex, the overarching factor is the deeply embedded social and structural discrimination that Roma face worldwide, including anti-Gypsyism.

37. The Special Rapporteur believes it is necessary to reflect on the lessons learned, both globally and in particular from the European experience, to understand better why existing approaches have not managed to bring about structural change. She discusses overall challenges, including lack of accurate disaggregated data; the absence of political will; insufficient Roma participation; lack of a multisectoral, human rights-centred approach in policy development; low awareness of complaint

mechanisms; limited recognition of history and lack of measures to address long-standing prejudices and racism; and insufficient funding and bureaucratic obstacles. The Special Rapporteur urges all relevant stakeholders to think outside the "poverty paradigm" and incorporate all aspects of minority rights into strategies that address Roma disadvantage, including the protection and promotion of Roma identity, language and culture and the guarantee of dignity and equality. The protection and promotion of the rights of Roma should be prioritized on the political agenda in order to demonstrate a serious political commitment to combating the causes and consequences of anti-Gypsyism and discrimination.

6. 2016: Minorities and discrimination based on caste and analogous systems of inherited status (A/HRC/31/56)

38. The Special Rapporteur is concerned by information that she has received regarding incidents of discrimination in caste-based and analogous systems of inherited status. In her report, she emphasizes that caste-based discrimination is a global phenomenon, estimated to affect more than a quarter of a billion people across the globe, including in Asia, Africa, the Middle East, the Pacific region and in diaspora communities. This serious human rights violation infringes upon the basic principles of universal human dignity and equality, as it differentiates between "inferior" and "superior" categories of individuals because of their inherited caste status. It also leads to extreme exclusion and dehumanization of caste-affected communities, who are often among the most disadvantaged populations, experience the worst socioeconomic conditions and are deprived of or severely restricted in the enjoyment of their civil, political, economic, social and cultural rights.

39. In her report, the Special Rapporteur highlights some common characteristics of caste and analogous systems of inherited status, including their hereditary nature and their connection with untouchability practices and, in turn, enforced endogamy, which can mean the prohibition of inter-caste interactions, including marriage and the sharing of goods or services. She notes with concern the use of violence against individuals and communities of caste-affected groups, the obstacles to participation in public elections, general political marginalization, confinement to certain menial occupations, forced and bonded labour, segregated colonies or informal settlements, restricted access to drinking water and sanitation facilities, denial of or restrictions on health-care services, considerable disparities in educational opportunities and blockage from religious sites. The report includes a focus on women from disadvantaged castes, who are often the victims of caste-based violence, in particular sexual violence, trafficking, early and/or forced marriage, bonded labour and harmful cultural practices.

40. States should adopt specific legislation prohibiting discrimination on the grounds of caste or analogous systems, fully implement legal provisions, including appropriate penalties for acts of caste-based discrimination, and put in place special measures in specific areas. Discrimination based on caste and analogous systems is deeply embedded in interpersonal and communal relationships in caste-affected countries. Therefore, overcoming it will require not only legal and political responses, but also community-based approaches aimed at changing the mindsets of individuals and the collective conscience of local communities. In this regard, formal and informal community education and open dialogue from an early age are essential elements to ensure that the principles of human dignity and equality generally are accepted and respected.

7. 2017: Reflections on the six-year tenure of the Special Rapporteur (A/HRC/34/53)

41. In her final report to the Human Rights Council, the Special Rapporteur provides some reflections on her six-year tenure. In particular, she analyses the eight priority areas identified at the beginning of her mandate and provides updates on achievements in those areas.

42. She notes with concern that a number of major challenges persist in the promotion and protection of minority rights. In particular, she expresses concern that with increasing hate speech, xenophobic rhetoric and incitement to hatred against minorities, coupled with the rise of extremists and far-right political parties, the progress achieved during the past decades in the field of minority rights protection is under threat. She therefore urges that swift and concrete guarantees be put in place to preserve those achievements and to allow further improvement. Such guarantees must come in the form of strengthened legislative and institutional frameworks for minority rights protection, as well as demonstrating an unequivocal political will to foster conditions for a cohesive society where there is unity in diversity.

43. The Special Rapporteur has observed challenges to the use of the term "minority" for certain distinct communities. She considers that further awareness-raising is required to fully convey the meaning, scope and implications of the term, so that it can be reclaimed and used with the empowering intent that it actually holds. Moreover, she recalls that the existence of an ethnic, religious or linguistic minority in a given State does not depend upon a decision by the Government but needs to be established using objective criteria.

44. The Special Rapporteur remains gravely concerned at the limited or often complete lack of a minority presence in political and public offices. She has repeatedly stressed the need to ensure that minorities are included in all decision-making processes, including in municipal and government structures, law enforcement bodies, the judiciary, legislative bodies, criminal justice systems and all other relevant bodies and mechanisms, especially when their decisions affect minorities. Without their participation, such bodies are less able to take vital decisions for the benefit of the entire society and may be less trusted by minorities, who may be reluctant to access them or discouraged from doing so. Moreover, good and inclusive governance, which includes minorities and measures to ensure equality, are key conflict-prevention prerequisites.

45. Lastly, she notes the importance of the role of the United Nations in the protection of minorities, including through the establishment of specific minority focal points within the Secretariat and ensuring minority representation in United Nations staffing.

III. Follow-up to country visits

46. In October 2016, the Special Rapporteur wrote to all States[1] visited officially by her predecessor and herself to inquire about the implementation of the recommendations contained in the country visit reports. She wishes to thank Bosnia and Herzegovina, Bulgaria, Canada, Colombia, France, Greece, Hungary, Rwanda and Viet Nam for their responses. The Special Rapporteur provides below an

[1] Bosnia and Herzegovina, Brazil, Bulgaria, Cameroon, Canada, Colombia, Dominican Republic, Ethiopia, France, Greece, Guyana, Hungary, Kazakhstan, Nigeria, Rwanda, Ukraine and Viet Nam. The country visits conducted in 2016 (Iraq, Republic of Moldova and Sri Lanka) have not been included.

overview of the main developments in the States concerned regarding the implementation of the recommendations. The full responses of the States are available on the website of the mandate holder.[2]

A. Bosnia and Herzegovina

47. The Special Rapporteur welcomes the establishment of the National Minorities Council under the Parliamentary Assembly of Bosnia and Herzegovina. The role and funding of the Council, which gathers representatives of the 17 national minorities recognized by law, has been strengthened. The Special Rapporteur also welcomes the fact that the 2013 population census allowed multiple responses with regard to self-identification, in line with her recommendation that census questions should allow open and multiple responses, and that the enumeration was conducted in three languages (Bosnian, Croatian and Serbian) using Latin and Cyrillic script. Preliminary census results, published in 2016, show that 50.11 per cent of the population identify as Bosniaks, 30.78 per cent as Serbs and 15.43 per cent as Croats. Less than 3 per cent of the population falls under the category of "others", including members of the 17 national minorities and other ethnic groups.

48. With respect to the recommendations on the situation of Roma communities, the State referred to the adoption of a revised action plan for Roma in the areas of employment, housing and health care, covering the period 2013-2016, and provided examples of the scope of specific measures and the number of Roma beneficiaries in those areas. With regard to the drafting of the iteration of the action plan for 2017-2020, the Special Rapporteur stresses the importance of including Roma in all stages of planning, implementation and evaluation and calls upon the State to continue its efforts to improve the situation of Roma communities.

49. The Special Rapporteur regrets the lack of implementation of her recommendation with respect to national minorities and those within the category of "others" having equal rights to stand for any government position, including the need for constitutional reform to remove discriminatory provisions following the judgment of the European Court of Human Rights in the case of *Sejdić and Finci v. Bosnia and Herzegovina*. The State is of the opinion that the enforcement of this decision and others by the Court would adequately tackle discriminatory provisions for national minorities and members of the category "others", but states that the implementation of this decision requires political agreement in the country. The Special Rapporteur reiterates that constitutional reform should not be portrayed as a threat to peace or the rights of any group, but as a positive process necessary to ensure equal opportunities of political participation for all.

B. Bulgaria

50. Bulgaria informed the Special Rapporteur that in 2012 the minorities portfolio had been transferred to the National Council for Cooperation on Ethnic and Integration Issues, a coordinating and consultative body tasked with assisting the Government in the formulation of a policy on the integration of minority groups. The Special Rapporteur was pleased to learn that a specialized body had been established within the Council to monitor the implementation of the national strategy for Roma integration, which covers the period 2012-2020.

[2] See www.ohchr.org/EN/Issues/Minorities/SRMinorities/Pages/Followuponcountryvisitrecommendations.aspx.

51. The Special Rapporteur recognizes the country's enhanced efforts to integrate Roma children into the education system, including the amendment of the Public Education Act, which introduced a mandatory two-year course before first grade with the aim of providing equal opportunities for children. Moreover, she welcomes measures directed at members of minority groups, including the adoption of a strategy for the educational integration of children and students from ethnic minority groups covering the period 2015-2020 and a corresponding action plan; the introduction in 2012 of a national programme known as "School without Absences" to reduce dropout rates; and the launch of an adult literacy programme.

52. The Special Rapporteur thanks Bulgaria for its detailed response on measures aimed at fostering the inclusion of Roma in the areas of housing, employment and health care and highlights the following programmes: the national programme for the improvement of the housing conditions of Roma, covering the period 2005-2015; the agreement on the social inclusion of Roma and other vulnerable groups signed under the cooperation programme between Bulgaria and Switzerland; the programme entitled "Activation of inactive persons" of the Employment Agency; and the programme entitled "Take your life in your own hands", which is intended to reach long-term unemployed persons from vulnerable population groups. She notes that a position of "health mediator" was included in the national classification of occupations and in 2014 the number of mediators increased to 150 in 79 target municipalities throughout the country.

C. Canada

53. The Special Rapporteur welcomes the commitment of Canada to reinstating and modernizing the Court Challenges Program, in line with the recommendation made by the former mandate holder to review its abolishment in order to increase access to justice for Canadians of all backgrounds.

54. The Special Rapporteur further welcomes the information received on measures in the areas of labour market integration and education. She thanks Canada for highlighting some specific examples of promotion of equality in the education system by provincial and territorial governments in its response. Moreover, the Special Rapporteur is pleased to learn about the Government's commitment to enhancing the representation of minorities in the political sphere and that, following the federal election in 2015, almost 17 per cent of ministers appointed to the Cabinet by the Prime Minister were persons belonging to minorities. Currently, there are 47 minority Members of Parliament and 10 members from indigenous communities, a record high for both groups. The Special Rapporteur commends the Government for establishing the Cabinet Committee on Diversity and Inclusion tasked with examining initiatives designed to strengthen the relationship with indigenous Canadians, improve the economic performance of immigrants and promote Canadian diversity, multiculturalism and linguistic duality.

55. With respect to measures to combat racial profiling, Canada recalled the Canadian Charter of Rights and Freedoms and the Canadian Human Rights Act, which prohibit such discrimination, and referred to the training of police officers as an important component of the application of the country's human rights-based approach to public safety. She welcomes the fact that Canadian police, border and intelligence officers are taught about cultural diversity and undertaking their duties free from bias.

D. Colombia

56. Colombia informed the Special Rapporteur of developments that had strengthened the legal framework on minority rights protection since the visit of her predecessor, including the passing in 2011 of Act No. 1482 on combating racial discrimination, in line with the recommendation of the former mandate holder to enact comprehensive anti-discrimination legislation banning discrimination on all grounds including race, and the signature of the Inter-American Convention against Racism, Racial Discrimination and Related Forms of Intolerance and the Inter-American Convention against All Forms of Discrimination and Intolerance. The Special Rapporteur notes that, since the entry into force of Act No. 1482, 300 investigations have been conducted by the Office of the Prosecutor, of which 101 are related to victims of African descent. In addition, in 2011 the Victims and Land Restitution Act entered into force, as did related decrees. The Special Rapporteur considers that this legal framework, which recognizes both the collective rights of indigenous communities and communities of African descent over their territories and the individual rights of their members, who have been the victims of human rights violations, is a commendable development. The State also referred to policies and projects adopted in the framework of the International Decade for People of African Descent, including a cooperation project on strengthening the inclusion of Afro-Colombian, Palenquero and Raizal communities, to improve the living conditions of those groups.

57. With respect to data collection, the Special Rapporteur welcomes the State's inclusion of a differential approach for ethnic groups in the census forms, which include a self-identification question, in preparation for the population census in 2016.

E. France

58. The Special Rapporteur remains concerned with the position of France with respect to the reservation that it made to article 27 of the International Covenant on Civil and Political Rights relating to the rights of persons belonging to minorities, based on the constitutional principles of equality before the law and the unity and indivisibility of the nation. France does not recognize in its territory the existence of minorities with a legal status as such, but states that its position does not exclude the rights of persons belonging to minorities to enjoy, with other members of their group, their own cultural life, to profess and practise their religion or to use their own language. The Special Rapporteur regrets that France does not envisage ratifying Protocol No. 12 to the Convention for the Protection of Human Rights and Fundamental Freedoms nor the Framework Convention for the Protection of National Minorities of the Council of Europe, as recommended by her predecessor.

59. The Special Rapporteur notes a large number of circulars and instructions to complement legislative provisions to combat discrimination, including in the field of criminal justice. She is pleased to learn about the establishment of a ministerial body responsible for designing, coordinating and facilitating the Government's policies on combating racism and anti-Semitism. She further welcomes the fact that in 2015 a national plan to combat racism and anti-Semitism was launched.

60. In the field of education, the Act on Orientation and Programming for the Rebuilding of the Schools of the Republic is intended to reaffirm the need to promote inclusive schools for all pupils with special needs. Given the lack of an "ethnic approach", there is no distinction between Roma and non-Roma children, but the former benefit from inclusive arrangements in place for newly arrived pupils

who do not speak French. The Special Rapporteur recalls her predecessor's recommendation that special measures should be adopted to guarantee the right to education in mainstream schools for children from Gypsy or Traveller families and welcomes the implementation of specific educational measures for children from Traveller communities referred to by the State. Furthermore, France provided information on the teaching of foreign and regional languages at school, which was enhanced with the passing of the law in 2013.

F. Greece

61. Greece informed the Special Rapporteur that, with respect to the recommendation that the Government comply with the judgments of the European Court of Human Rights, which found that associations should be allowed to use the words "Macedonian" or "Turkish" in their names and freely express their ethnic identities, a special structure responsible for the execution of the judgments has been established within the Ministry of Justice, Transparency and Human Rights. The Special Rapporteur welcomes this development and encourages Greece to fully implement those judgments.

62. With regard to religious minorities, Greece reported that Act No. 4115/2013 enhances the status of religious preachers, who are employed by the civil service and enjoy all the social security benefits to which they are entitled. It was also noted that a special university entrance quota was introduced for members of the Muslim minority who wish to become teachers. The implementation of Act No. 4301/2014, which pertains to the organization of the legal form of religious communities and their organizations in Greece, has permitted some religious communities to be automatically granted the status of religious or ecclesiastical legal persons without having to follow formal legal procedures.

63. In relation to the recommendations made regarding Roma populations, the Special Rapporteur was informed that, since 2014, measures have been put in place through a national strategy for Roma social inclusion, covering the period 2014-2020, including the establishment of some 300 local community centres and a special secretariat for Roma within the Ministry of Labour in charge of monitoring the national strategy and regional strategies. The Special Rapporteur welcomes such measures, while recalling that her predecessor had noted that significant problems of implementation existed at the local level; therefore, she encourages Greece to ensure the implementation of the measures contained in the National Strategy at the local level.

64. The Special Rapporteur congratulates Greece on the establishment of an observatory on gender equality, which in 2012 designed and implemented a project on gender mainstreaming in Greek municipalities, with an emphasis on women belonging to socially vulnerable groups. The establishment of such a body is in line with the recommendation of the Committee on the Elimination of Discrimination against Women, voiced by the former Independent Expert, "to take effective measures to eliminate discrimination against minority women, including awareness-raising programmes, to sensitize public opinion at large, and particularly the police, on the issue of minority women".

G. Hungary

65. The Special Rapporteur thanks Hungary for its extensive response detailing measures and programmes adopted since the visit of the Independent Expert in 2006. The Special Rapporteur welcomes the establishment, in 2011, of the Roma

Coordination Council, a body comprising 29 members, including Roma representatives, which is tasked with, inter alia, overseeing the implementation of the framework agreement between the Government and the National Roma Self-Government. She also welcomes the adoption, in 2011, of a national social inclusion strategy, which highlights among its objectives in the area of health care the improvement of access to health care for Roma communities through triannual action plans.

66. With regard to the situation of Roma women, the Special Rapporteur is pleased to learn about the implementation, in 2016, of a project to support cooperation for inclusion, which is intended to promote Roma women's civil society organizations, and hopes that similar projects are replicated in the future.

67. In the field of education, Hungary provided information about several legislative and other measures implemented to combat discrimination of Roma children at school. Hungary noted a bill submitted in October 2016 to amend the Act on Equal Treatment and the Promotion of Equal Opportunities and the Act on National Public Education, in order to put in place stronger guarantees to prevent the segregation of children in education, including based on ethnicity or nationality. It also provided detailed information on the measures adopted to change the practice of labelling young Roma children as mentally disabled without justification based on the child's intellectual capabilities and referred, among other measures, to the safeguards in place in this regard, including pedagogical assistance services.

68. In the framework of the national social inclusion strategy, developments in the areas of employment, housing and health care were presented. The project entitled "Active for work 2007-2013" aims to enhance the employability of persons in disadvantaged situations in the labour market; some 47 per cent of participants are members of the Roma community. In addition to the existing settlement programmes, it was noted that in 2015 the Government adopted a policy strategy to manage segregated housing, covering the period 2014-2020, to improve housing conditions in settlements. Several programmes were highlighted as examples of measures aimed at improving the access of Roma people to health-care services, including a Roma mother-child health programme and a programme on training Roma health guardians.

H. Rwanda

69. The Special Rapporteur took note that, contrary to her predecessor's recommendation that the Government should acknowledge the Batwa to be a distinct population group and that targeted programmes should be designed and implemented to improve their conditions, the Government does not consider any group as a distinct indigenous people. Nevertheless, Rwanda highlighted policies and programmes intended to address the socioeconomic situation of historically vulnerable groups, including the Batwa and others. The Special Rapporteur encourages Rwanda to ensure that Batwa communities benefit fully from government initiatives.

70. In relation to the recommendation of the former mandate holder that the Government should review the programme to demolish all *nyakatsi* houses to ensure that it did not have a negative impact on vulnerable individuals, families or communities, Rwanda stated that there had been what it termed a "bye-bye *nyakatsi*" campaign and that vulnerable families had been given new houses.

I. Viet Nam

71. Viet Nam provided information with regard to the population census of 2014, indicating that more than 12 million people are persons belonging to minorities (14.3 per cent of the total population). It also noted that the Constitution of 2013 recognizes that minorities have equal rights and enshrines the principles of equality and non-discrimination, as well as the right of Vietnamese citizens from ethnic minorities to political participation. Viet Nam indicated that, of the 151 laws adopted by the National Assembly over the past decade, 38 are related to ethnic minorities.

72. The Special Rapporteur welcomes the programmes aimed at ethnic minorities in the area of poverty alleviation and development that have been implemented over the past years, which have proved successful. She further welcomes the national target programme on sustainable poverty reduction for the period 2016-2020.

73. The Special Rapporteur expressed satisfaction at the reduction of the poverty rate among ethnic minority households, which is reported to have dropped from 35 per cent in 2011 to 16.8 per cent in 2015, and the reduction of the malnourishment rate among children under the age of 5 years from ethnic minorities, which has fallen to below 25 per cent. The Special Rapporteur congratulates Viet Nam for the improvements in the field of education and training for ethnic minorities, with a school enrolment rate of 95 per cent among ethnic minorities compared with the national average of 98 per cent. With respect to the preservation of minority languages, the Special Rapporteur welcomes a recent pilot project launched in cooperation with the United Nations Children's Fund on bilingual education in three provinces (Lao Cai, Tra Vinh and Gia Lai).

IV. Analysis of the communications sent out by the mandate holders

74. From 1 August 2005, when the mandate was established, to 30 June 2017, a period that encompasses almost the entire tenure of two mandate holders, 269 communications to Governments were sent. In 2005, only one communication was sent. Since then, there has been a fairly steady increase in the number of communications sent annually, with the highest number of communications sent in 2011.

75. The largest number of communications (132) were sent to States in the Asia-Pacific region. The Europe and Central Asia region came second, with 79 communications, followed by the Middle East and North Africa region, with 25. Countries in the Americas region received 18 communications, while the Africa region received 15.

76. Of the 269 communications sent, 262 were addressed to Governments jointly with other mandate holders. Of these joint communications, 134 were joint allegation letters and 125 were joint urgent appeals. A total of three were sent as joint so-called other letters, relating to issues of legislation or policy concern.

77. A total of seven communications were sent without other mandate holders: one allegation letter, five urgent appeals and one other letter.

78. In terms of the reasons for the communications, the largest number of communications (108) related to issues concerning religious minorities. There were also 14 cases where the issues in question related to groups that qualified both as religious and ethnic minorities. The second largest group of victims was ethnic

minorities, about whom 74 communications were sent. A total of 42 communications were sent concerning the specific situation of Roma around the world. In addition, there were 31 communications concerning human rights defenders working to promote and protect the rights of persons belonging to minorities who had suffered reprisals in connection with their human rights activities.

V. Forum on Minority Issues

79. The Forum on Minority Issues, which replaced the Working Group on Minorities, was established in 2007 pursuant to Human Rights Council resolution 6/15 and renewed in 2012 pursuant to resolution 19/23. It is mandated to provide a platform for promoting dialogue and cooperation on issues pertaining to national or ethnic, religious and linguistic minorities, as well as to provide thematic contributions and expertise to the work of the Special Rapporteur. The Forum is also intended to identify best practices, challenges, opportunities and initiatives to advance the implementation of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.

80. The Special Rapporteur is tasked with guiding the work of the Forum, preparing its annual session and reporting on the thematic recommendations of the Forum to the Human Rights Council. The Forum meets annually in Geneva for two days of thematic discussions. On average, more than 500 participants attend, including representatives of minorities, Member States, United Nations mechanisms, regional intergovernmental bodies and non-governmental organizations.

81. The mandate of the Special Rapporteur thus complements and enhances the work of the Forum and the Special Rapporteur has fostered the complementary and mutual reinforcement of both mechanisms throughout her tenure. Since 2013, she has devoted her annual thematic report to the General Assembly to the same topic as the session of the Forum, as a means to contribute to and inform the discussions of the Forum.

82. The Special Rapporteur emphasizes the instrumental role played by the Forum in providing a platform for dialogue and reflection on issues pertaining to minorities and producing action-oriented recommendations that can be implemented by States and other stakeholders to fulfil the rights of minorities. She notes that the participation of minorities themselves in the Forum's sessions is key to guaranteeing an inclusive and balanced discussion and serves as an example of inclusion of minorities in matters affecting them. She highlights that the views and contributions of minorities provide an invaluable assessment on the actual implementation of legislation, policies and international standards on minority rights.

83. The Special Rapporteur acknowledges the challenges facing the Forum, including limited awareness of the Forum at the regional and local levels, lack of capacity to follow up on the implementation of its recommendations and financial constraints. She strongly believes that it is essential to ensure the effective continuation of the Forum and hopes that its role will become more prominent and universally recognized in the years to come.

84. During the second half of her mandate, the Special Rapporteur has sought to reflect on ways to improve debate and discussion at the Forum, with a view to making its sessions more dynamic, constructive and focused on the topic of the session. From 2017, the Forum will be organized around panel discussions guided by questions proposed by a moderator, which will facilitate the process of formulating recommendations.

85. She has also seized opportunities to raise awareness of the work of the Forum outside Geneva. In 2013, she travelled to Banjul to attend the fifty-third ordinary session of the African Commission on Human and Peoples' Rights. Among other activities, she held a public side event with the participation of a commissioner, Soyata Maiga, the Chair of the fifth session of the Forum. The side event was an opportunity to brief participants on the work of the mandate holder and the Forum and to share information relating to minorities in African human rights mechanisms. In 2016, while reporting to the General Assembly, the Special Rapporteur convened a consultative session in New York, which served as an opportunity to discuss the draft recommendations of the Forum ahead of its session, raise awareness of its work outside Geneva and engage with relevant stakeholders in New York.

86. The Special Rapporteur considers that enhanced financial support for the Forum is needed to guarantee its long-term functioning and ensure that it can fulfil its role. She thanks Austria for its generous support since the outset, as well as Hungary and the Russian Federation for their contributions, and encourages other States to contribute financially to the Forum to ensure its sustainability and progress. Increased financial resources will also enable the Forum to consider holding meetings in the various regions so that minorities and non-governmental organizations that cannot afford to travel to Geneva will be able to contribute to the Forum's deliberations in their respective localities. The extension of the current two-day session could also be considered to allow more participants to take the floor and broaden the scope of the discussions.

87. The year 2017 marks the tenth anniversary of the establishment of the Forum. The Special Rapporteur considers it to be an ideal opportunity to foster ownership of the Forum's agenda by minorities themselves, encourage focused and constructive participation of States and minority representatives, strengthen the engagement of other United Nations agencies in the Forum and promote more interactive dialogue and discussion during the sessions of the Forum in a respectful and constructive spirit.

VI. Research on minority issues in the second cycle of the universal periodic review process

88. The Special Rapporteur has conducted research analysing all minority-related recommendations of the second cycle of the universal periodic review process.[3] The main findings are summarized in the present section. As in the previous report on the first cycle, the research is based entirely on the statistics and database of UPR Info.[4] The Special Rapporteur notes that, at the time of writing of the present report, the recommendations made at the twenty-sixth session of the Working Group on the Universal Periodic Review had not been made part of the overall electronic database; all the statistics and data below reflect, therefore, the outcomes of the thirteenth to twenty-fifth sessions.[5]

[3] The Special Rapporteur thanks the members of the Human Rights Project at the Fletcher School of Law and Diplomacy for their important work on this issue and the team at UPR Info for their assistance and collaboration.

[4] Available from www.upr-info.org.

[5] According to the Special Rapporteur's assessment, during the twenty-sixth session, 10 Member States (Haiti, Iceland, Lithuania, Republic of Moldova, South Sudan, Syrian Arab Republic, Timor-Leste, Uganda, Venezuela (Bolivarian Republic of) and Zimbabwe) received 80 recommendations regarding minorities, vulnerable groups, marginalized groups and religious groups, which will change the final statistics and charts.

89. The analysis revealed that, during the second cycle, recommendations regarding minorities accounted for 5 per cent of total recommendations, with 144 Member States issuing 1,658 recommendations to 147 Member States (there were a total of 895 minority-related recommendations in the first cycle, which constituted 4.2 per cent of the 21,353 recommendations made in total). "Minorities" was the eleventh most discussed topic out of 56 different categories in the UPR Info database. Of the total number of recommendations on minorities, 81 per cent were accepted and 19 per cent were noted.

90. Eastern European States received the most recommendations on minorities (572), followed by Western European and other States (473), Asia-Pacific States (337), African States (164) and Latin American and Caribbean States (112). Western European and other States made the most recommendations on minorities (459), followed by Asia-Pacific States (367), Latin American and Caribbean States (281), Eastern European States (266), African States (261) and the observers (Holy See and State of Palestine) (24).

91. The top five regional organizations receiving the most minority-related recommendations were the European Union (679), the International Organization of la Francophonie (366), the Organization of Islamic Cooperation (271), the Commonwealth secretariat (205) and the African Union (163). The top five regional organizations making the most minority-related recommendations were the Organization of Islamic Cooperation (419), the European Union (393), the International Organization of la Francophonie (361), the Organization of American States (357) and the Organization of Ibero-American States for Education, Science and Culture (318).

92. The top 10 Member States receiving the largest number of minority-related recommendations were Myanmar (69), Slovakia (58), Slovenia (50), Bulgaria (44), Czechia (43), Romania (41), Bosnia and Herzegovina (40), France (39), Sweden (39) and Greece (37). The top 10 Member States making the highest number of minority-related recommendations were the Islamic Republic of Iran (42), the Russian Federation (39), Canada (39), Austria (38), Argentina (37), the United States of America (37), Malaysia (36), Australia (33), Spain (30) and China (30).

93. About 21 per cent of all minority recommendations referred to the situation of Roma, 7 per cent referred to Afro- and African descendants and 5 per cent to Muslims. Other significant groups included Rohingya, Bedouins, Arabs, Christians, Baha'is, Sinti, Dalits and Jewish communities.

94. Roma were the most frequently cited minority group in the first cycle of the universal periodic review process. There were 364 recommendations addressing their situation: 259 in Eastern European States and 105 in Western European and Other States. Some 7 per cent of them were noted (25), while the rest were accepted. The top five Member States receiving the most recommendations were Slovakia (44), Czechia (32), Romania (32), Slovenia (28) and Hungary (27). Afro- and African descendants were the second most referenced minority group within the second cycle. A total of 110 recommendations mentioned them. All regions, aside from African States, received recommendations. Member States made 86 recommendations regarding Muslims. All regions except Latin American and Caribbean States received recommendations. Western European and other States received the largest percentage of recommendations (62), followed by Asia-Pacific States (16) and Eastern European States (7). Rohingya were mentioned in 31 recommendations, the majority to Myanmar (26) and the rest to Bangladesh (5). Myanmar noted all 26 recommendations, while Bangladesh accepted 3 recommendations and noted 2. There were 12 recommendations that mentioned Bedouins, 11 addressed to Israel and 1 to the Niger. Israel noted 2 and the rest were

accepted. Arab populations were mentioned in 12 recommendations to 4 countries: Israel (8), Islamic Republic of Iran (2), France (1) and the United States (1). The Islamic Republic of Iran and the United States noted the recommendations; the rest were accepted. Christians were mentioned in 11 recommendations to 9 countries: Islamic Republic of Iran (2), Pakistan (2), the Central African Republic (1), China (1), Indonesia (1), Israel (1), Nigeria (1), Turkmenistan (1) and Uzbekistan (1). A total of 5 were noted (by China, Islamic Republic of Iran, Pakistan and Uzbekistan) and 6 were accepted. Of the 11 recommendations that mentioned the Baha'is, 10 were to the Islamic Republic of Iran and 1 was to Indonesia. Indonesia accepted the recommendation, while Iran noted all of them.

95. There were 15 recommendations in the second cycle (compared with 41 in the first cycle) that referred to treaty bodies and minorities: 12 were accepted and 3 noted. There were 13 recommendations referring to special procedures and minorities: 7 of them were accepted and 6 noted. A total of 5 referred to the Independent Expert or the Special Rapporteur on minority issues.

96. With respect to areas of concern contained in the recommendations, the analysis revealed 33 main thematic areas: access, birth registration, citizenship, criminal justice, culture, discrimination, education, employment, equality, ethnicity, hate or hatred, health or health care, housing, human rights, intolerance or xenophobia, judicial matters, land rights, language-related matters, legislation and the law, media, nationality-related matters, participation, police, poverty, protection, racism, religion or belief, segregation, social inclusion, torture, training, violence and water and sanitation.

VII. Conclusions

97. **The year 2017 marks the twenty-fifth anniversary of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. The anniversary constitutes a reminder and a crucial opportunity for States to strengthen their respective legislation on minority rights protection to ensure that it is fully in line with the Declaration. The Special Rapporteur recalls the four pillars of minority rights protection that should be reflected in those laws: first, the protection of a minority's survival by combating violence against its members and preventing genocide; second, the protection and promotion of the cultural identity of minority groups and their right to enjoy their collective identity and to reject forced assimilation; third, the guarantee of the right to non-discrimination and equality, including ending structural or systemic discrimination and the promotion of affirmative action, when required; and fourth, the right of minorities to effective participation in public life and in decisions that affect them. She stresses that non-discrimination clauses, which provide for equal treatment for all members of society, without the aforementioned additional guarantees, have often proved insufficient for the effective protection of disadvantaged minorities.**

98. **The United Nations in general should advocate minority rights protection more strongly at both the national and regional levels, with a view to ensuring that States strengthen their legal, policy and institutional frameworks and that regional anti-discrimination and minority rights standards and mechanisms are put in place for the protection and promotion of minority rights, respectively.**

99. **Equally, the United Nations should ensure that the composition of its staff in all offices and entities, in particular in the field, reflects the national, ethnic and religious make-up of the societies in which they operate.**

100. **Existing mechanisms and platforms for minorities within the United Nations system should be strengthened, including the Forum on Minority Issues. The Forum plays a pivotal role as a unique and global platform to facilitate dialogue and address relevant issues pertaining to minorities. It should be provided with the resources necessary to implement its mandate fully. Consideration should be given to raising the Forum's profile at the regional and international levels, following up the implementation of its recommendations, fostering ownership of the Forum's agenda by minorities and promoting more interactive dialogue and discussion during the Forum's sessions.**

101. **It is important for the United Nations network on racial discrimination and protection of minorities to update the Human Rights Council regularly on its work. The United Nations should also consider appointing a high-level official on minority issues within the Secretariat and establishing senior positions within departments and agencies to look into issues of minority rights protection, diversity management and safeguarding pluralistic societies. The designation of minority focal points in all United Nations field offices would be another great step forward.**